

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 59-66, 68-70, and 72-74 are pending in this application. Claims 59 and 72-74 are amended. No new matter is added.

In the outstanding Official Action, Claims 59-60, 62-66, 68-70 and 72-73 were rejected under 35 U.S.C. §102(b) as anticipated by Bickford (U.S. Patent No. 4,117,614); Claim 61 was rejected under 35 U.S.C. §103(a) as unpatentable over Bickford in view of Marx (U.S. Patent No. 3,425,147); and Claim 74 was rejected under 35 U.S.C. §103(a) as unpatentable over Bickford.

With regard to the rejection of Claims 59-60, 62-66, 68-70 and 72-73 under 35 U.S.C. §102(b) as anticipated by Bickford, the rejection is respectfully traversed.

Amended independent Claim 59 recites a refrigerator shelf including, *inter alia*:

...  
a plurality of coverpieces, at least one of said coverpieces being a cornerpiece positioned to cover only one of the plurality of corners of the at least one support panel, at least one of said coverpieces including at least one attachment portion configured to attach said shelf in a refrigerator chassis in a substantially horizontal configuration.

Bickford discloses a picture frame comprising four frame legs that telescopically slide into or over the adjacent frame leg.<sup>1</sup> This allows pictures of varying size to be framed by the adjustable picture frame. At page 2, line 24 to page 3, line 4, the outstanding Office Action cited the surface of back leg section 31 as “a portion configured to assemble said self in a refrigerator chassis.” However, it is respectfully submitted that the back leg section 31 does not include an “attachment portion” as recited in amended Claim 59.

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<sup>1</sup>See Bickford, abstract and Figure 2.

One non-limiting example of an attachment portion is shown in Figures 4a and 4b of the present application. As discussed in the specification at page 14, lines 4-5, attachment portion 27 may be used to attach the shelf to a chassis. Thus, it is respectfully submitted that Bickford does not describe an *attachment* portion located on any portion of the disclosed frame. Accordingly, Bickford does not teach or suggest “at least one attachment portion configured to attach said shelf in a refrigerator chassis in a substantially horizontal configuration,” as recited in Claim 59.

Since Bickford does not teach each and every element of Claim 59, Claim 59 and the claims dependent therefrom are not anticipated by Bickford and are patentable thereover.

Amended independent Claims 72 and 73 recite similar elements to Claim 59. It is respectfully submitted that Claims 72 and 73 are patentable over Bickford for at least the reasons discussed above with respect to Claim 59.

With respect to the rejection of Claim 61 under 35 U.S.C. §103(a) as unpatentable over Bickford in view of Marx, that rejection is also respectfully traversed.

Marx describes fastener 17 located on one side of the frame. Fastener 17 is configured to hang the frame in a vertical configuration, for example on a wall, as shown in Figure 6 of Marx. Thus, it is respectfully submitted that neither Bickford nor Marx teaches or suggests “at least one attachment portion configured to attach said shelf in a refrigerator chassis in a substantially horizontal configuration,” as recited in Claim 59. Thus, Bickford and Marx, taken alone or in combination, do not teach or suggest each and every element of Claim 59, from which Claim 61 depends. Accordingly, it is respectfully submitted that Claim 61 is patentable over Bickford and Marx.

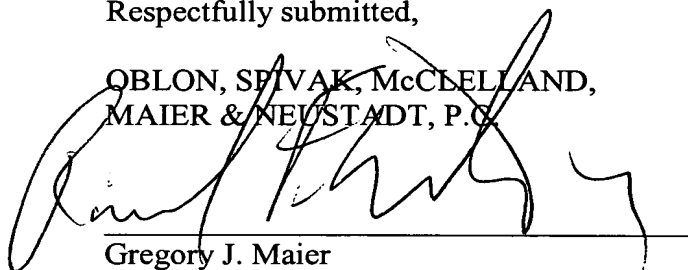
With respect to the rejection of Claim 74 under 35 U.S.C. §103(a) as unpatentable over Bickford, that rejection is respectfully traversed.

As discussed above, Bickford does not teach or suggest at least one attachment portion configured to attach a shelf in a refrigerator chassis in a substantially horizontal configuration, as recited in Claim 74. Accordingly, it is respectfully submitted that Claim 74 is patentable over Bickford.

Consequently, in view of the present amendment, no further issues are believed to be outstanding and the present application is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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A large, stylized handwritten signature in black ink, likely belonging to Gregory J. Maier, is written over a horizontal line.

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